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SUBJECT: NDI SEES "SCORCHED EARTH" DEPARTURE FROM TAJIKISTAN

Classified By: Ambassador Tracey Jacobson; reasons 1.4 (b) and (d)

11. (C) Summary: The National Democratic Institute's most recent application for registration was refused by the Tajik Government. With funding and patience running out, the Institute is considering exit strategies to implement by March 31. Their resident representative favors a "scorched earth" departure (his words), drawing maximum negative attention to Tajikistan. Post supports the Institute's decision to make a political statement out of its departure, but suggests the Institute hold off on any final moves until after the April 1-4 visit by SCA Deputy Assistant Secretary Spratlen. End Summary.

12. (C) On March 19 DCM and Pol/Econ Chief met with Harry Bader, the National Democratic Institute's (NDI) Tajikistan representative, regarding NDI's exit strategy from Tajikistan. Mr. Bader said the latest refusal from the Justice Ministry was full of specious arguments, including faulting NDI for errors on documents that the government had previously accepted. He said it was obvious that the Government had no intention of registering NDI. (Bader's suspicion that the government had no intention of approving NDI's registration was confirmed when his neighbor -- who runs a bordello whose customers include well placed government officials -- said she had heard he would be leaving town soon.) Bader was now seeking a meeting with the Ministry of Justice; if it got the meeting, then NDI would try to review its application with the Justice Ministry, clarify any problems, and get an assurance that a new application would be accepted and NDI be registered.

13. (C) Assuming that even getting a meeting will prove impossible (as it has in the past), NDI is preparing to leave Tajikistan, possibly with a bang. Mr. Bader said NDI was considering holding press conferences in Dushanbe and Washington, DC early next week, highlighting the many petty technical obstacles the Tajik Government has raised to prevent registration, without actually coming out and explicitly saying the Tajik Government is against political pluralism. Then, if the registration issue was not resolved by March 31, NDI would announce its departure and blame it on the Government's opposition to democratic development. NDI would try to draw maximum attention to this event, with press releases in Washington, DC, Dushanbe, and Brussels.

14. (C) NDI is still deliberating on what course to pursue. Mr. Bader said he favored a maximum impact departure, while others at NDI's headquarters were considering whether to leave in a manner which would leave the door open to NDI's

return. We told Mr. Bader that the embassy would support whatever NDI decided to do, and noted that a gentler departure might simply reinforce the notion within the Tajik Government that NDI's departure would cost Tajikistan nothing. State Committee officers recently told an NDI staffer exactly this, saying that Freedom House's departure a few years ago had had no consequences for Tajikistan - the security relationship would go on, and aid would keep flowing. We noted that this was a rather parochial view; since Freedom House could not come to Tajikistan to assess the situation here, Tajikistan had no chance at Millennium Challenge funding, unlike neighboring Kyrgyzstan.

¶5. (C) Mr. Bader said he was looking at options for maximum public impact from NDI's departure, and just needed clearance from NDI/Washington, DC. He was trying to enlist interest in the issue by Members of Congress, to get a statement critical of Tajikistan read on the House floor, and was trying to exploit his Nebraska roots (Nebraska is home to the largest Tajik community in the United States) by looking for interest from Nebraskan Warren Buffet, to publicize that Tajikistan was a bad place to do business and not creditworthy. We can't say how realistic his ideas were, and counseled him that NDI's departure would have an impact more in politics than in business, but also that the Tajik Government needed to understand that the two spheres are connected. We suggested NDI also look for multilateral fora where it could make a statement, such as the OSCE.

¶6. (C) Mr. Bader did not know whether or not the March 11 letter from NDI Chairman Madeleine Albright had reached the President yet. NDI delivered it to the Presidency on March 12. Given the propensity in the government to avoid giving the president bad news, we suggested that the letter might not have reached President Rahmon, and suggested that if NDI does leave Tajikistan, a second letter from a prominent figure to President Rahmon might help explain to him what happened, and why. (After meeting Mr. Bader, we called the President's international relations adviser, who said he had neither seen nor heard of the Albright letter. NDI also sent a copy of the Albright letter to Foreign Minister Zarifi; a contact in the Foreign Ministry's administration section told us that the Minister did not forward this copy to the presidency; we don't know whether the Foreign Minister has raised this with the president in any other way.)

¶7. (C) Comment: We believe that few in the Government of Tajikistan will derive any lesson from NDI's departure unless it is made with a media splash that makes clear that the Government is to blame. As with another dispute about doing business in Tajikistan, that of Gerald Metals, the American party found that quiet diplomacy accomplished nothing; it won its case only after a loud, public, and protracted campaign. However, we suggest that the Department counsel NDI to push its deadline back a few days, to see if SCA DAS Pamela Spratlen can make some progress on this issue during her April 1-4 visit to Dushanbe. We'll make the same case to Mr. Bader here. It would be more useful to have DAS Spratlen help push the issue one more time, than to have her deliver bad news after the fact. End Comment.

JACOBSON